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Message Text

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43
ACTION EUR-12

INFO OCT-01 ISO-00 CIAE-00 DODE-00 PM-03 H-02 INR-07 L-02

NSAE-00 NSC-05 PA-01 PRS-01 SP-02 SS-15 USIA-06 SAM-01

SAJ-01 NIC-01 IO-10 ACDA-05 EURE-00 /075 W
---------- 054449
P R 091424Z APR 75
FM AMEMBASSY BONN
TO SECSTATE WASHDC PRIORITY 9258
INFO AMEMBASSY BERLIN
USMISSION USBERLIN
AMEMBASSY LONDON
AMEMBASSY PARIS
AMEMBASSY MOSCOW
USMISSION NATO BRUSSELS

C O N F I D E N T I A L BONN 05717

E.O. 11652: GDS
TAGS: PGOV, WB, GW, UR, US, UK, FR
SUBJECT: FEBRUARY 27 SOVIET PROTEST ON EXTENSION TO BERLIN OF FRG LAW ON INNER-GERMAN LEGAL ASSISTANCE

REF: A) USBER 383; B) MOSCOW 2705

SUMMARY: BONN GROUP HAS AGREED AD REF ON TEXT OF REPLY TO SOVIET DEMARCHE OF FEB 27 ON AMENDMENT TO 1953 LAW ON INNER-GERMAN LEGAL ASSISTANCE. RECOMMEND DEPARTMENT AGREE TO TEXT GIVEN BELOW. END SUMMARY.

1. BONN GROUP AT APRIL 8 MEETING AGREED AD REF TO TEXT OF REPLY TO SOVIET DEMARCHE. RECOMMENDED REPLY SIMPLY RECALLS AND CONFIRMS ALLIED REPLY OF NOV 26, 1974 TO FIRST SOVIET COMMUNICATION ON THIS SUBJECT (OF OCT 25, 1974), BRIEFLY RESTATES ALLIED POSITION, AND IN NON-POLEMICAL WAY BRIEFLY ADDRESSES ONLY NEW SOVIET POINT IN FEBRUARY STATEMENT, THAT ALLIES (AND FRG) GUILTY OF NOT
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MAKING CHANGES IN BEHAVIOR WITH RESPECT TO BERLIN WHICH

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ARE NECESSITATED BY QA. BONN GROUP REPS OF VIEW THAT LENGTHY RESTATEMENT OF POINTS CONTAINED IN ALLIED REPLY OF NOV 27, 1974 (WHICH WAS FULL EXPOSITION OF ALLIED POSITION) OF NO PARTICULAR VALUE. TEXT GIVEN BELOW, WHICH IS A CLEAR AFFIRMATION OF ALLIED POSITION, WOULD SEEM ALSO TO HAVE VALUE OF OFFERING BEST CHANCE TO TURN OFF DIALOGUE WITH SOVIETS ON THIS SUBJECT.

2. BEGIN TEXT:

1. WITH REFERENCE TO THE ORAL COMMUNICATION BY A REPRESENTATIVE OF THE MFA ON FEBRUARY 27, 1975, I HAVE BEEN INSTRUCTED TO RECALL AND CONFIRM THE TERMS OF THE AMERICAN COMMUNICATION OF NOVEMBER 27, 1974. IT IS THE POSITION OF THE THREE POWERS THAT THE BUNDESGERICHTSHOF, IN CONTINUING TO EXERCISE ITS COMPETENCE WITH RESPECT TO BERLIN AS SET OUT IN THE NOVEMBER COMMUNICATION REFERRED TO ABOVE, DOES NOT PERFORM ACTS IN EXERCISE OF DIRECT STATE AUTHORITY OVER THE WSB AND THE EXERCISE OF THIS COMPETENCE IS THUS FULLY CONSISTENT WITH THE QA OF SEPTEMBER 3, 1971.

2. I AM ALSO INSTRUCTED TO STATE THAT THE AMERICAN AUTHORITIES, LIKE THOSE OF THE SOVIET UNION, ATTACH GREAT IMPORTANCE TO THE STRICT OBSERVANCE AND FULL APPLICATION OF THE QUADRIPARTITE AGREEMENT. FOR THEIR PART, THEY WILL CONTINUE TO EXERCISE THEIR RESPONSIBILITIES IN SUCH A WAY AS TO ENSURE THAT THE PROVISIONS OF THE QUADRIPARTITE AGREEMENT ARE FULLY COMPLIED WITH.
END TEXT.

3. ACTION REQUESTED: DEPARTMENT APPROVAL OF TEXT FOR DELIVERY BY EMBASSY MOSCOW IN ACCORDANCE WITH USUAL PRACTICE AT SAME LEVEL DEMARCHE WAS MADE OR AT LOWER LEVEL.
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Message Attributes

Automatic Decaptioning: X
Capture Date: 01 JAN 1994
Channel Indicators: n/a
Current Classification: UNCLASSIFIED
Concepts: DIPLOMATIC PROTESTS, INTERGOVERNMENTAL COOPERATION, JUDICIAL BRANCH, BERLIN QUADRIPARTITE MATTERS
Control Number: n/a
Copy: SINGLE
Draft Date: 09 APR 1975
Decaption Date: 01 JAN 1960
Decaption Note:
Disposition Action: RELEASED
Disposition Approved on Date:
Disposition Authority: MartinML
Disposition Case Number: n/a
Disposition Comment: 25 YEAR REVIEW
Disposition Date: 28 MAY 2004
Disposition Event:
Disposition History: n/a
Disposition Reason:
Disposition Remarks:
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Document Source: CORE
Document Unique ID: 00
Drafter: n/a
Enclosure: n/a
Executive Order: GS
Errors: N/A
Film Number: D750123-0457
From: BONN
Handling Restrictions: n/a
Image Path:
ISecure: 1
Legacy Key: link1975/newtext/t19750469/aaaacktw.tel
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